THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 11917 OF 2006

BETWEEN:

M.Lakshmipathi son of LateM.Jayaramaiah

…Petitioner

vs.

The Tirumala Tirupati Devasthanam, rep. by its Executive Officer and another

…Respondents

THE HONOURABLE SRI JUSTICE GODA RAGHURAM

WRIT PETITION NO. 11917 OF 2006

ORAL ORDER

By the proceedings dated.11-06-2004 the petitioner was granted licence by the 1st respondent-Tirumala Tirupati Devastanams to run a shop at green valley at the foot path leading to Tirumala of a licence fee of Rs.9,100/- per month for a period of one(1) year. By proceedings dated.28-05-2006 the 2nd respondent renewed the licence of the petitioner for one year from 16-05-2005 to 15-06-2006.

As per clause No.3 of the licence issued to the petitioner on 11-06-2004, after the expiry of licence period the 1st respondent may at its discretion renew the licence for a period of another year with a hike of 15% licence fee subject to other conditions set out therein (emphasis). The petitioner states that another similarly placed individual one Smt.P.Padma was granted renewal by the proceedings of the 2nd respondent dated.04-05-2006 renewing her licence from 01-05-2006 to 13-04-2007. The petitioner also submitted a representation on 25-04-2006 for further renewal of his licence. This has not been considered. While so by the proceedings of the 2nd respondent dated.07-06-2006 the petitioner is intimated that as his licence period will expire on 15-06-2006 he should vacate the premises by the said date and the Revenue Inspector of the 2nd respondent -Office was directed to take vacant possession of the shop on 15-06-2006, thus bringing about the eviction of the petitioner. This is the complaint in the writ petition.

Having regard to the facts and circumstances and having heard the learned counsel for the petitioner and Sri P.Harinatha Gupta the learned Standing Counsel for the respondents-T.T.D, the writ petition is disposed of directing the respondents to consider the petitioner's representation dated.25-04-2006 and take a decision whether the licence in favour of the petitioner could be renewed. The order/decision of the 2nd respondent in this regard shall be communicated to the petitioner within a week from today. Meanwhile the petitioner shall not be coerced to vacate the premises. The petitioner's entitlement to continue in the premises thereafter will be subject to the decision taken by the 2nd respondent, as directed above. No order as to costs.

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GODA RAGHURAM,J

15th JUNE 2006

Note:

Issue C.C.

as soon as

possible.

(B/O)

*TSNR